IN THE HIGH COURT OF JUDIATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

WRIT PETITION NO.725 OF 2006

1. Mr Girish Damodar Pandit
and ors .. Petitioners
Vs
1. Mr.Rajkumar K. Shrivastav
and ors. .. Respondents

Mr Nitin P.Deshpande, for the petitioners.
Mr U.V.Nikam, APP, for the respondents.

CORAM : D.B.BHOSALE, J.

DATED : 5th JUNE, 2006

P.C.:

1. Heard the learned counsel for the parties.

2. The impugned order has been challenged by the petitioners-accused solely on the ground that the value of the machinery is much less than the amount of the bank guarantee that has been directed to be furnished to secure the machinery. There are no such averments made either in the application-Exhibit 34 or in the reply filed by the petitioners-accused thereto. In view of this, I am satisfied that the following order shall meet the ends of justice.

2. It is open for the petitioners-accused to make a similar prayer, as made by Mr Deshpande, learned counsel for the petitioners, in the course of the argument, before the trial Court. If the application

seeking reduction of the amount of the bank guarantee is filed by the petitioners, same may be considered on merits and uninfluenced by the liberty granted by this court. I make it clear that the merits of the contentions in respect thereof have not been examined by me at all. The writ petition is disposed of.

(D.B.BHOSALE,J.)